MONTANA UNDERGROUND STORAGE TANK PROGRAM NEWSLETTER

MUST News

Department of Environmental Quality — Fall Issue 2008

Jet Fuel Spill Cleanup at Ravalli County Airport

By mid-August, 2008, the initial emergency response to the 4,500 gallon jet fuel spill was complete at the Ravalli County Airport. More than 200 cubic yards of soil excavation and fuel recovery had occurred since the release in July, and crews were moving to the next phase of cleanup.

With oversight from the Montana Department of Environmental Quality (DEQ), a crew from Missoula contractor, PBS & J, began the field investigation on August 14, 2008, to determine the extent and magnitude of the contamination plume.

Field technicians used a Geo-Probe system to bore 10 feet below ground surface and field screened for organic vapors in soil samples. They then sent soil samples to a laboratory to analyze for petroleum hydrocarbons. "A vapor reading can

continued on page 2

Nick Sovner with a Geo-Probe Drill ~ Jet Fuel Cleanup at the Ravalli County Airport ~ August 14, 2008

Inside This Issue

Montana Department of Environmental Quality

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Jet Fuel Spill Cleanup at Ravalli County Airport - *continued from page 1*

determine at what depth the worst contamination is, and then we take that to the lab," says Nick Sovner, Environmental Science Specialist for the DEQ. Monitoring wells were also drilled to check groundwater contamination.

Sovner says the field investigation is a critical phase of the overall cleanup. "We have done the basic recovery in the initial response stage. This investigation will allow us to come up with the most expeditious and cost-effective corrective action plan. We want to have a handle on the extent of the plume and find the leading edge of it so we don't run into problems later."

Ravalli County Airport Jet Fuel Cleanup field investigation.

The jet fuel spill and investigation drew public attention from the community, elected officials, and news media. *Ravalli Republic* and *Bitterroot Star* newspapers, Montana Public Radio and KPAX-TV, Missoula, featured reports.

Following receipt of investigation results, final cleanup will take years. "Even if we excavate as much product as we can now there still can be residual contamination above risk based screening levels," says Sovner. "Even after the remediation process there are years of monitoring before the DEQ can actually close the site. It is DEQ's job to make sure the site is cleaned up to prevent risk to human health and the environment."

The spill occurred on July 1, during a jet fuel transfer by Northstar Aviation from an above ground storage tank to a mobile fueling truck. A storm was threatening and the operator reportedly left the pump, without properly shutting it off, to anchor small planes. The unfortunate mistake caused the fuel truck to overflow, impacting the water table and threatening two nearby drinking water wells.

Within 24 hours, the DEQ was notified of the spill and became involved with local response. "We have been involved from the very beginning and will be involved until cleanup standards are met," says Sovner. He adds that this release is larger than most handled by the DEQ Petroleum Technical Section. "Most sites are gas stations with spills in the 100's of gallons. When you remediate spills in the 1,000's of gallons recovery is bigger and more complex."

This was the second jet fuel spill at the airport in three years. There were monitoring wells already in place from the first spill, which helped with emergency response on this spill, but also allowed fuel to penetrate directly to the water table. Unique to the second spill was the culvert around the area's perimeter. The product followed the culvert. "People don't realize the contamination potential of fuel. It can do a lot of damage, and this spill has harmed the environment," says Sovner. ■

Petro Factoid…

Bend Radius

If plastic product piping is bent in too tight of a circle, it can wear out and leak. Manufacturers' specifications vary, but if you see a bend radius that is less than 24 inches (that would make a circle four feet across), call it to the attention of your service provider.

Brownfields Redevelopment Workshop

The Montana Department of Environmental Quality (DEQ) welcomed the opportunity to participate in the Brownfields Redevelopment Workshop in Missoula, September 4, 2008. More than 80 environmental scientists, redevelopment professionals, and elected officials attended the conference.

Missoula Mayor John Engen gave welcoming remarks and encouraged community building. He talked about growing up two blocks from the Missoula Sawmill Facility, formerly known as Champion Mill, a 45-acre brownfield area west of McCormick Park, which is currently being cleaned up with oversight from the DEQ. The plan is for a mixed-use redevelopment of commercial and park areas. Conference attendees toured the site as part of the agenda.

Keynote address:
DEQ Director, Richard Opper, delivered the keynote address calling on communities to turn today's energy challenges into environmental change. While acknowledging the hardship that high gasoline prices cause many families, Opper said high energy costs may convince American car companies to spur production of fuel-efficient vehicles. "The energy crisis has given us carbon guilt and fewer Hummers," Opper said. He told the audience that Congress has taken action recently to pass fuel efficiency standards legislation. "It was not a strong bill. It is a baby step, but it is a start."

Opper believes that high energy costs may influence the location of future development. In the past, subdivisions were built away from stores, schools, and workplaces. Opper told the audience that despite the housing crunch, homes close to where we learn, work, and shop will sell better. "One good thing about the energy problem is that developers are now looking at sites in town or close to urban centers and realizing that we can redevelop by being green," Opper said.

Keynote Speaker, Director Richard Opper
Montana Department of Environmental Quality

He suggested the following:

- Incorporate existing materials and reuse infrastructure in deconstruction, demolition, and removal. Retain native vegetation and use clean fuels in equipment.
- During remediation and cleanup, use clean fuels or renewable energy sources in equipment and machinery. Select cleanup technologies that require less energy.
- Use Energy Star, LEED and GreenScapes principles when designing and constructing a new building. Use ecological enhancements to promote biodiversity.
- In reuse of the site, reduce use of toxic materials, minimize waste generation, reduce water use, maximize energy efficiency and prevent recontamination.

Green buildings
Opper said the EPA building in Denver is a good example of a green building. Built on a reclaimed contaminated site, green building techniques were used throughout construction. Opper also cited the green building, Missoula Federal Credit Union, which is scheduled to open in January 2009.

The 6,211 square foot building is being constructed of sustainable products, such as recycled timbers. Its gray water will be used for landscape irrigation. The building will produce at least seven percent of its own energy requirements from solar panels and is LEED Certified. It is projected to save:

- 48 percent in energy to operate the building;
- $9,931 in annual cost savings at current energy prices;
- 201,990 lbs. per year reduction in CO^2 emissions;

continued on page 4

Brownfields Redevelopment Workshop - *continued from page 3*

Flash and Glass

The primary building material used throughout the Missoula green building is "Flash and Glass," which is made from fly ash and recycled glass, and replaces conventional cement in the flooring, foundation, sidewalks, driveways, exterior panels, and countertops. Plus, there is plenty of it. Fly ash is a waste product of coal combustion. Each year, the U.S. produces 71 million tons of fly ash.

Opper said the building sets an example for future development. "Imagine a development in the heart of a city made from eco-friendly materials, where you can walk to shopping, hike on nearby trails, cook a meal from fruits and vegetables from the local farmers market. All of this reduces our carbon footprint without sacrificing quality of life."

DEQ and Brownfields

During the session, "Brownfields' Nuts and Bolts," Mike Trombetta, Chief of the DEQ Hazardous Waste Site Cleanup Bureau, encouraged community involvement in cleanup. "Brownfields really succeed from the bottom up," said

Mike Trombetta giving a presentation at the Brownfields Conference held in Missoula, Montana.

Trombetta. "It is the community that comes to us. Sometimes it is just one person or several who take the lead. The DEQ can help enable the effort but the community must make it happen." Trombetta said the DEQ conducts outreach, provides technical assistance and reviews grant applications. "If you can remove the stigma of potential contamination you can move forward with redevelopment. Sometimes an environmental assessment is all it takes to remove the stigma," says Trombetta.

He cited several of many Montana brownfields that are moving forward with help from the DEQ:

- The former oil refinery site in Shelby;
- Kalispell Feed and Grain;
- Paris Laundry in Lewistown;
- Berg Lumber in Lewistown;
- Davis Post and Pole in Willow Creek.

Group tour at the Brownfields Conference held in Missoula, Montana.

Other conference topics included partnerships in cleanup and redevelopment, community outreach and involvement, and community planning. As one speaker put it, if communities have a stake in site reuse, they can get excited about assessment and cleanup.

The conference was sponsored by the City of Missoula and presented by the National Association of Local Government Environmental Professionals and the Brownfield Communities Network, with assistance from a number of agencies, including the DEQ and the U.S. EPA.

For more information, visit the following websites:

http://www.nalgep.org
http://www.deq.mt.gov, http://www.epa.gov ■

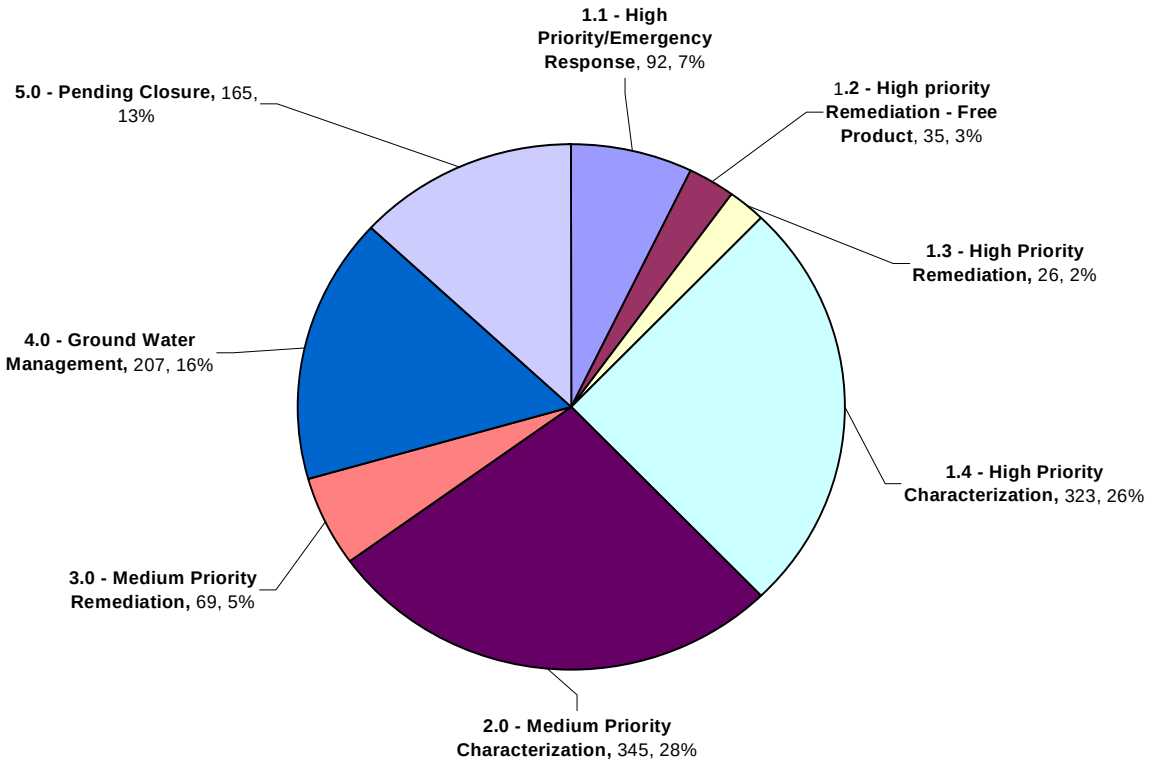
Petro Factoid…Gas Station Closings

According to the *Wall Street Journal*, nearly 3,000 gas stations in the U.S. closed in a recent 12 month period due to higher gasoline prices that soared 40 percent in one year.

Priority Ranking Update

In the spring 2008 edition of *MUST News*, the DEQ explained how the petroleum release site priority ranking was undergoing revisions to fine tune Priority 1 petroleum release sites. The following pie chart shows the revised priority ranking and the number of active petroleum release sites in each priority. Petroleum Technical Section (PTS) staff is working on those petroleum release sites that have a priority of 1.4 or higher. However, PTS staff is still reviewing and approving work plans for lower priority sites when opportunities arise where the cost of completing corrective action can be reduced due to other activity at the sites or where redevelopment will encounter impacted soils or ground water.

It is important to note that PTS approval of a work plan does not guarantee that the Petroleum Tank Release Compensation Board will obligate funding or provide reimbursement for costs incurred to complete corrective actions. As noted in the winter 2008 *MUST News*, the DEQ is still committed to granting reasonable extensions for investigation and cleanup when an owner/operator or consultant is working closely with the board and the DEQ to stage work in such a way the reimbursement of claims can be assured without significantly impacting the environment and human health. ■



Petro Factoid…Major Gas Company Exiting

Exxon Mobil Corporation, with one of the most recognizable gasoline brands in the world, is leaving the domestic retail gasoline business. According to the *Wall Street Journal*, the oil company plans to sell 2,220 gasoline stations in the U.S.

Suspected Release Rules

The department is accepting comments on a proposed amendment to the Administrative Rules of Montana (ARMs) clarifying how certain persons should respond to equipment warnings, alarms, notifications, or abnormal operations that may indicate their Underground Storage Tank (UST) systems may be releasing regulated substance into the environment. When a leak detection equipment alarm activates or a mechanical line leak detector goes into flow restriction mode, owners, operators, and other persons knowledgeable in the operation and maintenance of UST systems must report the suspected release to the DEQ or the Disaster and Emergency Services duty officer within 24 hours, unless certain other actions are taken. A suspected release does not need to be reported if the cause of the alarm is investigated and it can be determined within 24 hours that a release to the environment has not occurred, the cause of the alarm is corrected, and the leak detection system is fully repaired and operational. Records documenting the cause of the condition and the investigative and corrective actions undertaken must also be maintained at the facility, or at a readily available alternative site, for three years.

Attention Distributors!

Please tell your home heating oil customers to call 1-406-841-3911 within 24 hours after a known or suspected release.

Timely reporting or investigative actions in response to leak detection equipment notifications and alarms can significantly reduce risks to human health, safety, and the environment. The requirement to investigate and report these suspected releases already exists in the ARMs. However, some owners and operators and other persons knowledgeable in the operation and maintenance of UST systems may not have fully understood the law. Previous editions of *MUST News* described cases where many parties did not take proper actions when leak detection alarms indicated releases were actually occurring. In one case the owner and operator stated he thought the alarms were due to water being in the sump. The sump was actually full and overflowing with product, which would have been readily observed by just popping the manholes or looking beneath the dispensers. The significant environmental damage, risk of fire and explosion, and potential health impacts could have been avoided if someone conducted a timely investigation rather than just assuming it was a false alarm.

A complete set of the proposed rules can be downloaded from the department's web site at **www.deq.mt.gov**, or requested from the Remediation Division at (406) 841-5000. The department will be accepting written comments through December 24, 2008, and will hold two hearings to accept verbal comments. The first hearing will be at 10:30 a.m. on November 12, 2008 in Room 112; and the second hearing will be at 10:30 a.m. on December 16, 2008 in Room 216 of the DEQ office located at 1100 North Last Chance Gulch, Helena, MT.

Comments or questions concerning these proposed rules can be addressed to:

Elois Johnson
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-090
or e-mail: ejohnson@mt.gov ■

Petro Factoid…

Biodiesel

According to the U.S. Department of Energy, Biodiesel is a renewable alternative fuel produced from a wide range of vegetable oils and animal fats. Pure biodiesel or biodiesel blended with petroleum diesel can be used to fuel diesel vehicles, providing energy security, and emissions and safety benefits.

There are four biodiesel refueling stations in Montana. Pacific Pride in Belgrade sells its biodiesel to the public. The other three, one at Malmstrom Air Force Base and two in Yellowstone National Park, are for government use only.

SAVE THE DATE

Petroleum Tank Release Compensation Board

Monday – November 17, 2008
10:00 a.m. – 2:00 p.m.
Montana Department of Environmental Quality
Room 111 • Lee Metcalf Building
1520 East Sixth Avenue • Helena, MT 59620
Contact: Terry Wadsworth • 841-5092 • twadsworth@mt.gov

Montana Petroleum Consultants Meeting

Wednesday – November 19, 2008
1:00 p.m. – 3:00 p.m.
Montana Department of Environmental Quality
Room 35 • Lee Metcalf Building
1520 East Sixth Avenue • Helena, MT 59620
Contact: Mike Trombetta • 841-5045 • mtrombetta@mt.gov

Will also be available via videoconference at the DEQ in Billings:
Room 108 • Airport Business Park IP-9
1371 Rimtop Drive • Billings, MT 59105
Contact: Mike Trombetta • 841-5045 • mtrombetta@mt.gov

Suspected Release Rules Hearings

Wednesday, November 12, 2008 • 10:30 a.m. • Room 112
Tuesday, December 16, 2008 • 10:30 a.m. • Room 216
Montana Department of Environmental Quality
Last Chance Gulch Building
1100 North Last Chance Gulch • Helena, MT 59620

Suspected Release Rules Written Comments

Accepted through December 24, 2008
Address comments to:
Elois Johnson
Department of Environmental Quality
P.O. Box 200901 • Helena, MT 59620-0901 • ejohnson@mt.gov

Real Estate and Contaminated Property

It is impossible to sell contaminated property, right? That's what most owners of contaminated Underground Storage Tank (UST) facilities incorrectly have thought for years. Many owners would rather hand their service station keys to the bank than call their real estate agent for fear of the financial and environmental responsibilities regarding petroleum cleanup. The Montana Department of Environmental Quality (DEQ) takes numerous inquires from UST facility owners, real estate companies and prospective buyers about how to move contaminated property, which suggests that folks are buying and selling UST facilities. We would like to share a list of hints that may help alleviate some of the uncertainty in conducting real estate transactions involving petroleum contaminated sites.

Use all of the free resources you have first

The DEQ has information about every registered UST facility in the state. The "facility file" documents all registered USTs, inspections, permits issued to install, remove or modify tank systems and general correspondence regarding each UST facility. If the facility you are interested in has a documented petroleum release, there is a second "leak file" available. It contains information pertinent to all aspects of cleanup, from remedial investigations to corrective action to resolution of the release. All files are available for review by the public. If you have questions on whether the facility you are interested in has a DEQ file you can visit the states Digital Atlas and Online Query Service website at: **http://nris.mt.gov/deq/remsitequery/portal.aspx.**

Determine if the release is eligible for Petro Fund reimbursement

The Petroleum Tank Release Cleanup Fund (Petro Fund) was created in April 1989 to assist owners and operators with the cleanup of leaking petroleum tanks. Eligibility for the Petro Fund is a major selling point, allowing owners and operators to invest their money into their business rather than cleanup. It should also be noted that Petro Fund eligibility is assigned to the release, not the property owner, meaning that Petro Fund coverage normally continues even though property ownership changes.

Conduct a Phase II Environmental Site Assessment

Suppose you cannot find information about the property in which you are interested. You know that it was a gas station that closed, for instance, sometime in the 1970s. Now what? A buyer should be informed about what they are getting into when considering the purchase of potentially contaminated property. One of the best ways you can protect yourself from incurring unknown liability is to conduct a Phase II Environmental Site Assessment (ESA). A Phase II EAS is usually conducted by an environmental engineering or consulting firm of your choice and will involve some form of subsurface investigation. Potential areas of petroleum releases will be investigated for soil and groundwater contamination. Results from the Phase II ESA will be invaluable to determine potential cleanup costs in deciding whether to complete the property transaction.

Go with experience

If you choose to use outside help, it is important to hire a real estate agent, environmental consulting firm or attorney experienced with the procedure of contaminated property transactions. Though the DEQ cannot provide advice on which agency or firm to retain, we do advise that you talk to several companies and ask for references and examples of their work so you can make an informed decision about who to hire. You may have used a trusted and competent realtor or attorney for a long time, but ask them how knowledgeable and experienced they are in the very specialized field of environmental liability.

Understand your responsibilities

The State of Montana administers laws and rules governing UST operation. It is important that you read these regulations and understand your responsibilities in owning and operating facilities with USTs. If you find the legal language confusing, an attorney may be able to help. You can find laws pertaining to petroleum storage facilities and cleanup at **www.deq.mt.gov/dir/legal/index.asp**

Though petroleum contaminated sites may represent more liability than usual, well informed buyers can take control of the risks by using the resources available. For more information, visit the DEQ website at **www.deq.mt.gov** ■

*This article was reprinted in part from the spring 2003 issue of the *MUST News*.

Legislative Proposals –

Proposed *by the* Petroleum Tank Release Compensation Board *and supported by the* Department of Environmental Quality

Single Wall / Double Wall
The federal Energy Policy Act of 2005 resulted in a state requirement that tank owners must upgrade to double-wall underground storage tanks (USTs) if significant alteration to the system is required. Thus, the industry will be migrating to exclusively double-wall tank systems. Under current law, an owner's co-pay is waived for releases involving properly designed and installed double-wall tank systems. The need for the fund to provide incentive for owners to install a double-wall tank is no longer necessary. Releases occurring from a double-wall tank system and discovered on or after October 1, 2009 will be required to contribute the same co-payment as releases occurring from single wall tank systems.

Controls on Fund Balance
Under current law, collection of the $.0075/gallon fee for this fund is suspended after the unobligated balance in the fund equals or exceeds $8 million. Collection is reinstated whenever the unobligated fund balance, less claims anticipated for board approval within the next 90 days, is less than $4 million. These levels haven't changed since the fund's inception and do not reflect cost increases during that time. Suspension of collection during the 1990s helped create a funding backlog from which the fund is still struggling to recover.

Insurance Incentive
The Board proposes adding incentive for owners to have insurance and to use their insurance when a release has been discovered. This proposal would allow an owner's insurance to be credited toward his co-pay and would clarify that an owner need not obtain reimbursement from the Fund until all applicable insurance coverage has been exhausted.

Statute of Limitations
A recent Supreme Court decision places time limits on recovery efforts associated with corrective action of petroleum release. This proposal would require tank owners to file for eligibility in a timely fashion to allow the Board every opportunity to recover from any insurance the owner/operator may have and to ensure that decisions made by the Board become final after allowing the owner/operator an opportunity to contest a decision. ■

Chemical Health Effects…Benzene

Benzene is a widely-used chemical formed from both natural processes and human activities. It is a natural part of crude oil and gasoline. Benzene is a colorless liquid with a sweet odor. It evaporates into the air very quickly and dissolves slightly in water.

According to the Agency for Toxic Substances and Disease Registry (ATSDR), breathing very high levels of benzene can result in death, while high levels can cause drowsiness, dizziness, rapid heart rate, headaches, tremors, confusion, and unconsciousness. Eating or drinking foods contaminated with high levels of benzene can cause vomiting, irritation of the stomach, dizziness, sleepiness, convulsions, rapid heart rate, and death.

The major effect of benzene from long-term exposure is on the blood. Benzene causes harmful effects on the bone marrow and can cause a decrease in red blood cells leading to anemia. It can also cause excessive bleeding and can affect the immune system, increasing the chance for infection.

The Department of Health and Human Services (DHHS) has determined that benzene is a known carcinogen (cancer-causing agent). The International Agency for Research on Cancer (IARC) and the EPA have determined that benzene is carcinogenic to humans.

Benzene has been found in at least 1,000 of the 1,684 National Priority List sites identified by the Environmental Protection Agency (EPA).

The EPA has set the maximum permissible level of benzene in drinking water at 5 parts benzene per billion parts of water (5 ppb).

The Occupational Safety and Health Administration (OSHA) has set limits of 1 part benzene per million parts of workplace air (1 ppm) for 8 hour shifts and 40 hour work weeks. ■

Selecting an Environmental Consulting Firm

Investigation and cleanup of a release is the responsibility of the owner/operator or responsible party, and because of this, careful consideration should be taken when selecting an environmental firm to conduct the required work. As with hiring any contractor or employee, the same precautions should be taken when hiring an environmental consultant.

Several things can be done prior to committing to an environmental firm to provide better protection from delay, incompetent work practices, unexpected expenses, and frustration. Below you will find a list of tips to implement in the selection process while choosing an environmental firm to assist you in your efforts:

- Ask each potential firm about their level of experience and the experience of the project manager that may be selected to oversee your project. Specifically ask how much exposure the project manager has had in situations such as yours, including whether they have dealt with the Montana Department of Environmental Quality (DEQ), and their specific experience properly handling soil and water samples.

- Many times, consulting firms initially offer a list of high profile success stories, which typically won't relate to your situation. Request references from previous clients in your area, and verify the information by contacting these clients. Ask how the firm performed in these other areas.

- Determine the work load and resource availability. Ask each potential firm about scheduling, the availability of the equipment and personnel needed to complete your project, and projected start and completion dates.

- Ask about former clients' success receiving Petroleum Tank Release Compensation Fund reimbursement for their work, and verify this by calling the Petroleum Tank Release Compensation Board at 841-5092.

- Ask what approach they are considering for your site, and look for consultants that consider possible alternatives rather than consultants that seem to only consider one set procedure. This often shows a strong knowledge of the potential developments in similar projects. Be skeptical of those who hide behind technical jargon and cannot properly explain procedures in plain language.

- When researching consulting firms to assist you in your efforts you will often find there is a large variation in estimation of the project cost. Remember that the estimation of the project cost does not reflect upon the talents of the firm. There are many variables taken into consideration by a consulting firm when estimating projects. Focus on other criteria in selecting a consulting firm, and use price as a last comparative in the selection process.

The responsibility remains with the owner operator or responsible party even after the consulting firm has been selected. Stay in close communication with all parties involved in the project from initiation to completion. Utilize your right to review the project status and progression through briefings and consistent communication. Don't assume the consultant is taking care of everything. Follow up and make sure everything is being done to resolve the site. You are encouraged to periodically contact the DEQ case manager, who will answer any questions or concerns regarding your facility. ■

jUST Jargon – Geo-Probe

Geo-Probe is a trademark name for direct-push technology soil boring. It is a hydraulically-pushed coring device used in environmental remediation and soil sampling that collects soil borings. The technology is most effective when the area to be bored is shallow, about 20 – 30 feet, and in fine-grained soils, such as clays, silts, and sands. (See "Jet Fuel Spill Cleanup at Ravalli County Airport" in this issue of *MUST News*)

Nick Sovner, Environmental Science Specialist, DEQ – Geo-Probe to the right.

New Feature for *MUST News*….

Petroleum Fund Financial Status — Fiscal Year (FY) 2008 Year End

Total Revenue: $6,965,033
Claims Expenditures: $5,723,185
Total Expenditures: $7,507,653
Outstanding Work Waiting to be Obligated: $2,046,615

Petroleum Releases – FY 2008 Year End

New Releases: 34
Releases Resolved (Closed): 47

Petroleum Release Activity Status – Since Summer 2008 *MUST News* (September 15 – October 10, 2008)

New Releases: 4
Releases Resolved (Closed): 4

Petroleum Release Activity – January 1, 2008 through August 28, 2008

New Releases: 14
Releases Resolved (Closed): 38

Summary of Total Petroleum Release Activity

Total Releases: 4,429
Total Active Releases: 1,615
Total Releases Resolved (Closed): 2,783

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Montana TankHelper

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- Get best management practices

tankhelper.mt.gov

Petro Factoid… "W" for Winter

What does the "w" stand for in the names of 5W30, 10W30, and so on, motor oils?

Answer: Many people think the "w" stands for "weight," but that is incorrect. It means "winter." Oils designated with a "w" mean that they meet the API's (American Petroleum Institute) standards for cold climates.